



Saint Paul Planning Commission

City Hall Conference Center Room 40
15 Kellogg Boulevard West

Agenda

Christopher B. Coleman,
Mayor

May 7, 2010
8:30 – 11:00 a.m.

Saint Paul
Planning Commission

Chair
Kathi Donnelly-Cohen
First Vice Chair
Jon Commers
Second Vice Chair
Kristina Smitten
Secretary
Marilyn J. Porter

Brian Alton
Pat Connolly
Anthony Fernandez
Gene Gelgelu
Erick Goodlow
Bree Halverson
Richard Kramer
Paula Merrigan
Gaius Nelson
Tony Schertler
Robert Spaulding
Terri Thao
Daniel Ward II
Barbara A. Wencl
David Wickiser
Roxanne Young

Planning Director
Donna Drummond

I. Approval of minutes of April 23, 2010

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

#10-221-660 T-Mobile (1390 Larpenteur) – Conditional Use Permit for a wireless communications antenna on a 75 ft monopole. 1390 Larpenteur Avenue East between Clarence and Birmingham. (*Sarah Zorn, 651/266-6570*)

#10-221-100 St. Paul Port Authority – Rezoning from B2 Community Business to I1 Industrial. 955 Seminary Avenue, 974 Hubbard Avenue and 991 Milton Street North, NE corner at Chatsworth. (*Luis Pereira, 651/266-6591*)

#10-222-535 Walgreens – Site plan review for a new Walgreens and two smaller commercial buildings. 2101 Ford Parkway. (*Tom Beach, 651/266-9086*)

V. Comprehensive Planning Committee

VI. Neighborhood Planning Committee

District del Sol Zoning Study – Approve resolution recommending property rezonings to the Mayor and City Council. (*Lucy Thompson, 651/266-6578*)

Fitzgerald Park Precinct Plan Area Plan – Recommendation to release the draft for public review and set a public hearing for June 18, 2010. (*Lucy Thompson, 651/266-6578*)

Carondelet Village Redevelopment Plan – Approve resolution finding the redevelopment plan consistent with the City's Comprehensive Plan. (*Josh Williams, 651/266-6659*)

VII. Planning and Zoning Legal Issues – Presentation by Assistant City Attorney Peter Warner.

VIII. Communications Committee

IX. Task Force Reports

X. Old Business

XI. New Business

XII. Adjournment

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

VII. Planning and
Zoning Legal
Issues –
Presentation
by Assistant
City Attorney
Peter Warner.

**Saint Paul Planning Commission &
Heritage Preservation Commission
MASTER MEETING CALENDAR**

WEEK OF MAY 3-7, 2010

Mon (3) _____

Tues (4) _____ **(NOTE EARLIER START TIME)**

3:30- Comprehensive Planning Committee
5:30 p.m. (Penelope Simison, 651/266-6554)

Room 1106 – CHA
25 Fourth Street West

Central Corridor/TN Zoning Study – Discussion of preliminary staff recommendations and proposed public input process. *(Donna Drummond, 651/266-6556 and Sarah Zorn, 651/266-6570)*

Weds (5) _____

Thurs (6) _____

Fri (7) _____

8:30- Planning Commission Meeting
11:00 a.m. (Donna Drummond, 651/266-6556)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. *(Tom Beach, 651/266-9086)*

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**Neighborhood Planning
Committee.....**

District del Sol Zoning Study – Approve resolution recommending property rezonings to the Mayor and City Council. *(Lucy Thompson, 651/266-6578)*

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Guest Presentation..... Planning and Zoning Legal Issues – Presentation by City Attorney Peter Warner.

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City Hall Conference Center
15 Kellogg Boulevard West**

Minutes April 23, 2010

A meeting of the Planning Commission of the City of Saint Paul was held Friday, April 9, 2010 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Donnelly-Cohen, Halverson, Merrigan, Porter, Wencil, Young, and Messrs. Alton, Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Schertler, Spaulding, and Ward.

Commissioners Absent: Mmes. *Smitten, *Thao and Messrs. *Goodlow, and *Wickiser.
*Excused

Also Present: Donna Drummond, Planning Director; Tom Beach, Department of Safety and Inspections, Lucy Thompson, Allan Torstenson, Penelope Simison, Luis Pereira, Josh Williams, Anton Jerve, Sarah Zorn, Emily Goodman and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes April 9, 2010.

MOTION: *Commissioner Ward moved approval of the minutes of April 9, 2010. Commissioner Connolly seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Donnelly-Cohen had no announcements.

III. Planning Director's Announcements

Donna Drummond said at the commissioners' places is a sign up form for the Great River Gathering Dinner, and checks for that will be accepted today and at the next Planning Commission meeting. Ms. Drummond encouraged the commissioners to attend if they are interested. It is a really great event with usually over 1,000 people in attendance.

IV. PUBLIC HEARING: District del Sol Zoning Study – Item from the Neighborhood Planning Committee. (Lucy Thompson, 651/266-6578)

Chair Donnelly-Cohen announced that the Saint Paul Planning Commission is holding a public hearing on the District del Sol Zoning Study. Notice of the public hearing was published in the Legal Ledger on March 22, 2010, and was sent to the citywide Early Notification System list and other interested parties.

Lucy Thompson, PED staff, has been working with three community organizations on the West Side - WSCO, REDA and NeDA - for more than two years on this process. They have been great community partners in talking with affected business and property owners so that they understand what is being recommended. The primary purpose of the zoning recommendations is to bring zoning into compliance with the Comprehensive Plan and other neighborhood plans. Approximately 75% of the properties are being proposed to be rezoned TN2. TN2 is an excellent fit for the three commercial corridors. The Commission has already received three resolutions - from REDA, NeDA and WSCO - in support of the rezoning recommendations. In addition to supporting the rezonings, these groups have asked staff to explore allowing auto repair as a conditional use in the TN zones. This is underway.

Chair Donnelly-Cohen read the rules of procedure for the public hearing.

The following people spoke.

Ms. Karen Reid, from the Neighborhood Development Alliance (NeDA) said that they are in support of the rezoning. She thinks it will be an advantage to the commercial as well as the housing uses in District del Sol. Ms. Reid said that the existing uses are already consistent with the permitted uses in TN2 and comply with most, if not all, of the design standards.

MOTION: *Commissioner Wencl moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, April 26, 2010, and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

PUBLIC HEARING: City Council Resolution (3077776) Study of Sign Regulation Issues – Item from the Neighborhood Planning Committee. *(Emily Goodman, 651/266-6551)*

Chair Donnelly-Cohen announced that the Saint Paul Planning Commission is holding a public hearing on the Study of Sign Regulation Issues. Notice of the public hearing was published in the Legal Ledger on March 22, 2010, and was sent to the citywide Early Notification System list and other interested parties.

Emily Goodman, PED staff, explained that in 2009, during the adoption process for the amendments to Chapter 64 regarding signs with dynamic display several related issues came to the attention of the City Council. When it was determined that these issues were outside the scope of the signs with dynamic display public hearing process, the City Council chose to pass a resolution requesting that the Planning Commission undertake further study of those issues (GS#3077776). These issues include: measurement of double-faced and V-shaped sign area, permitted illumination level, regulation of window signs, number and size of exterior banners, and permitted exemptions for signs of city, county, state, and federal governments that provide public information. Staff has made recommendations on each of these five (5) issues. Ms. Goodman gave an overview of those five (5) issues.

Currently the City counts only one side of a double-faced sign or V-shaped sign toward the surface area of a sign. The City also mandates that the sign faces on double-faced or V-shaped signs be separated by no more than eight-feet or a thirty-five degree (35) angle. This regulation is in accord with what most communities that have regulations about these types of signs have on

the books. Generally, for these types of signs, if they are within a certain range, are counted only one time against the total allowable sign area. Staff recommends no change on this issue.

The second issue is permitted illumination level for signs. The current standard for maximum permitted light trespass is three (3) foot candles measured at the residence district boundary. This standard is generally considered to be too high for signage, as full indoor light is generally five to ten foot candles. In 2009, the maximum illumination level permitted for signs with dynamic display was reduced to three-tenths (0.3) foot candles. Based on research and analysis staff recommends amending the sign chapter of the Zoning Code to include a standard specific for signage lighting levels that would be permitted. The recommended standard is the same standard approved for signs with dynamic display in December 2009, which is a maximum illumination of 0.3 foot candles above ambient light level as measured from fifty (50) feet from the sign's face.

The third issue is internal window signs; there are currently no general regulations for interior signs of any kind in chapter 64 of the Zoning Code, which is the sign chapter. However there are other regulations in special sign district plans that do suggest some limitation for interior window signs. Some special sign districts regulate the percentage of windows that can be devoted to signage (often distinguishing between permanent and temporary window signage). To initiate such a regulatory process citywide in Saint Paul would first require initiating a challenging permitting process. The difficulties surrounding the permitting process include informing businesses about their burden to comply, and the cost to administer this would likely be passed on to small businesses. In weighing the difficulty against the cost of administering it staff recommends no change to the current regulations.

The fourth issue is the number and size of exterior banners, currently banners are generally permitted throughout the City, except in certain overlay districts. These banners are a type of temporary signage and are not to exceed one hundred twenty (120) square feet in area or be more in number than one (1) per twenty (20) feet of frontage. But banners that are freestanding or wall signs cannot exceed a total of thirty-two (32) square feet. The Zoning Code would benefit from a study that would consider amendments regarding banner signs within the context of all temporary signs. Staff recommends that the Planning Commission request a study of all temporary signage.

And the fifth and final issue is dealing with exemptions for signs of city, county, state and federal governments that provide orientation, direction, or traffic control information. Currently in the sign chapter of the Zoning Code these types of signs are permitted in all zoning districts; but they are not exempt from permits or other provisions in the chapter. In practice, the City of Saint Paul does not require permits for public traffic control or other directional signs. The provision in Sec. 64.401 seems to be misplaced and belongs in Sec. 64.204, Exemptions, and staff's recommendation is to move this exemption to where it belongs and make this correction to bring the policy in accord with what is practiced.

Commissioner Porter asked for clarification on one of the slides that showed three foot candles as being measured 50 feet from the sign face, and in the staff report it talks about foot candles as measured at the residential district boundary.

Ms. Goodman said that the recommendation is to make a change. Currently there is no specific regulation in the Zoning Code for signage illumination. There is a regulation for all exterior lighting that includes parking lot lights and everything. It might be appropriate to have different types of standards for different types of lighting, because it has different purposes. So what's

being changed is where the point of measurement is going to be or proposed to be from the residential property boundary to fifty (50) feet from the sign face and three (3) foot candles to point three (0.3) foot candles.

Chair Donnelly-Cohen read the rules of procedure for the public hearing.

The following people spoke.

1. Ms. Ginny Harris, Chair of Capitol River Council Sign Study Task Force. This task force has only been meeting for about three months and they are just beginning to compile information about the signs in downtown Saint Paul. They are in the process of photographing all the signs so that they have a photographic record of what is there enabling them to tell what would be nonconforming in the future. The hope is that they can come up with some type of regulation if a special sign district for downtown Saint Paul is developed. One thing they want to address is the section on illumination. The task force was concerned if enough study had been done to come up with the sweeping standard for all groups, requiring that all signs not exceed 0.3 foot candles. There could be some areas in a district where a brighter light standard would be more appropriate for safety reasons, especially in business and parts of the downtown district. And members suggested that lighting and public safety experts should really look at this standard pending analysis by consulting experts. Alternative language could be: No sign may exceed maximum illumination of 0.3 foot candles above ambient light level as measured from the residence window directly closest to signs or the reflective light source. Ms. Harris said if her information is correct the present language is: 50 feet from the face of the sign which could be in the center of a business district with no residences around.

Commissioner Ward said in regards to the distance from the residence window what would happen if the sign being stationary stays where it is and the building/residence where that is to be measured moves or is torn down and the next residence is 50 feet away, there is nothing on the adjacent parcel and the measurements are taken from the existing building. Then a new structure is erected and it is now within that distance or more then the 0.3. In your suggestion how do you deal with that?

Ms. Harris explained that then it would become a nonconforming use and the sign was already there before the building.

Commissioner Ward said that it would be nonconforming and it also would be a problem of brightness for whoever moved into that building, and yes the sign was there but the intent and the spirit of what staff is suggesting here is that it be stationary and be from the sign rather than from something that could be fluid or moving. So if you could just think about that portion.

Ms. Harris said that they will think about that as they study the entire downtown area.

2. Ms. Rossie Anderson-Howze, has been a resident in the community for over 40 years and is the founder of MAT (Mothers Against Tobacco Use). As the founder she noticed that there are advertisements at various corner stores that are really unhealthy. These advertisements are inviting youths to take part in alcohol use and tobacco use. You can find on display in various stores signs that are the size of the entire window, which is

enticing for kids who want to experiment with smoking. She is focused on reducing tobacco use in the community. Ms. Anderson-Howze showed pictures on the overhead projector with examples of store fronts that advertise cigarettes amongst other things. One of the pictures showed EBT and WIC signs, which show these stores are focusing on the low income people. Something like keep them down while they are down. Ms. Anderson-Howze is working to prevent her community from eroding in the bad habits of the past and prevent them from continuing into the future. She would like to have the City's support in eliminating this type of signage and have the stores display milk, cheese, eggs, fruits and vegetables more readily in their windows, because these are not liquor or tobacco stores, these are our corner stores.

3. Mr. Ossian Or, resides in the Union Park area and he presented a video on physical signage inside stores. Mr. Or said these interior signs are held to a completely different standard than if they were exterior signs. There is a MnDOT ruling that anything that changes at faster interval than 6 seconds is distracting. And the people who are putting up these signs feel like they are not getting their money's worth unless they make it look like fireworks. Also, they typically do not turn them off when the shop is closed. These signs are on continuously 24/7. Another thing is you can put any message you want on them. In other parts of the country they put racist messages against President Obama, health care and all kinds of different things. These signs become a way to get your personal message out in your store front. Referring to the video, he says this is a lot of information for people driving by to digest as this is scrolling by, but if it were on the exterior of the building it would be held to a different standard. Mr. Or also talked about signs that have gone bad; it is incredibly distracting when you can't even read what the sign says. These things have to be regulated, and the fact that it will be hard to regulate or hard to enforce should not be an issue. There are all kinds of things out there that are hard to enforce but it doesn't mean you shouldn't make some effort to control the process.
4. Ms. Jeanne Wagen, representing Scenic Saint Paul, said that signs can be attractive and inviting, they can be informative to customers, and they can also be a positive asset to the community. A concern of hers is attractiveness of the community and safety. Ms. Wagen showed photos on the overhead projector of store fronts that are very attractive, safe, and sell both the community and its products. She then showed photos of less attractive and less safe signage. No eyes on the street, no safety and totally ugly. City staff has suggested that the only way to regulate this kind of stuff is through a permitting process. Frankly that is looking too narrowly at the options. A much better option that is cheaper and easier is to do what one of the special sign districts has done and that is simply set a percentage limit on how much window surface can be covered with these kinds of signs. Then rely on a complaint process to enforce it. If it is a 15% allowed limit and someone has 80% coverage a complaint deals with that situation. The notion that the way to deal with this is through a permitting process is just fairly narrow in its concept. Ms. Wagen thinks if we can do better than that her community can look better and be safer.
5. Mr. Ken Peskin, representing the International Sign Association, which represents about 2,600 manufacturers of on-premise signs, sign products and users of signs. Mr. Peskin submitted written copies of his remarks and summarized them. His organization has significant concerns with the proposed regulations for the illumination of electric signs.

They actually participated in the process when the issue dealt with dynamic display signs, or what they call electronic signs (LED) display panels. He came here and participated in a workshop with planning staff in November 2008. Mr. Peskin talked about four points from his written comments. The first thing that the planning staff has proposed treating sign illumination stricter than other forms of illumination. There are environmentally sensitive, environmentally conscience building standards by two organizations, ASHRAE and the United States Green Building Council. Both establish limits for exterior lighting, and both of them specifically and explicitly exempt illuminated signage from most of the requirements as it pertains to illumination. He and the International Sign Association are not members of the committees that developed these standards, they did not testify nor did they submit comments, yet both of those organizations determined that electric illuminated signage should be treated less strictly than overall forms of illumination, and City staff is proposing to treat them more strictly. Mentioned in the staff report were issues dealing with the concept of glare and light trespass. These issues are not limited to signs that are too bright. If there is a nuisance in the neighborhood it is not just because of a sign or light fixture; it is the combination of everything and the idea that the sign should be treated more strictly than the overall lighting is misguided.

The second point deals with the 0.3 foot candles above ambient lighting standard. The (IES) Illuminating Engineering Society for North America established the concept of lighting zones and looked at ambient light levels that were considered a nuisance. The 0.3 foot candle standard is considered appropriate for levels of low to medium ambient lighting which generally would be characterized as residential or agricultural area. The recommendation of IES as it deals with a downtown commercial district is .8 foot candles above ambient as a nuisance. The City language applied a standard that was designed for a residential zone and applied it in commercial zones. Also the IES measured and established a protocol for measuring the brightness of what the City calls dynamic display at a distance of 100 feet. The City has a very different standard than what is recommended by the technical experts.

The third point is more of a legal point. One of the important cases that established the precedent on how governments can regulate signs is called the Central Hudson case from 1980. It established the idea of how a regulation is justified and one of the questions it asked is whether the government's proposed regulation is as narrowly tailored to suit whatever the compelling interest is that must be protected without going beyond that. To Mr. Peskin it seems from the staff report the compelling interest was the Bremer Bank sign which is an unusual situation where you have a skyscraper mounted sign that is designed to be seen from a very large distance, but it happens to have residential neighbors 100 feet away. The way that sign is constructed is different from a sign in a general commercial district. So he asked City staff to think seriously about regulations that deal with signs in proximity to residential areas and not where they are surrounded by commercial zones.

The last point is the lack of understanding of how electric signs work. Electronic signs with dynamic display can easily be dimmed. Most electric signs that have been permitted and are installed currently have only two phases of operation: on and off. Unlike dynamic displays regulated by the 2009 brightness standard, these electric signs, as they are currently constructed are incapable of being dimmed. Mr. Peskin goes into more in-depth regarding these four points in his written letter.

Commissioner Alton said that he understands that Mr. Peskin is not an expert on Minnesota Nuisance law, but could a city or an individual use existing nuisance law to challenge a specific sign if it was so bright it was causing problems.

Mr. Peskin confirmed he is not an expert on Minnesota nuisance law, but he believes you could challenge the existing nuisance law. It would probably be an inefficient and a very time consuming and laborious exercise.

Commissioner Merrigan said regarding the dimming capacities, LED and the extra energy at the point of lighting design, can they be designed to have a certain brightness and capacity that would be appropriate as opposed to a dimming mechanism that would be more efficient from start.

Mr. Peskin said that he grew up in the sign business and there are signs that his grandfather built over 50 years ago that are still up. These have been properly maintained, updated and repaired. So the existing inventory of signs can continue for decades into the future and those signs were not designed with that in mind. Going forward he believes LEDs will become the largest sector and there will be increased ability to dim signs. The problem is you really can't dim based on everything that goes on. In electronic displays it is easy to do with a photo cell where it automatically responds. An on premise sign is more difficult, but most signs in the future will be designed with LEDs in mind, will have the capacity to be illuminated at a partial level of illumination as opposed to just on or off.

Commissioner Nelson said that Mr. Peskin had mentioned the ASHRAE, USGBC and the ICC Green building standards and he wanted to know why illuminating signs was not addressed within those standards.

Mr. Peskin said that ASHRAE is a final document and the International Green Construction code is up for public comment now so it is not a final document. The ASHRAE standard does have regulations that deal with external illuminated signs. He is not sure why it was exempted, there are about 12 different things that are exempted and a lot of them are considered specialized sources of illumination. One thing that they recognize is when you deal with a normal luminance like a parking lot light or street light they are designed to light up everything around them. A sign does not want to do that, a sign is designed to light itself up. And that is the main reason why it was considered separately. As it pertains to the International Green Construction code, either version 4 or version 5 before the public version was released, at one time did have language that dealt with commercial signage to be regulated, but that was stripped out. He is not sure why it was excluded, but he assumes it was a conscience deliberate decision to exclude it.

Commissioner Nelson said the ICC Green Building code that was talked about, is that a consensus document which has input from a large sector of the national industries that are interested in that and he assumes the Green Building code is geared towards energy efficiency and trying to make buildings more energy efficient and somehow it does not seem that they would have stripped that out because they didn't think it was an energy issue there must have been something else that happened. Perhaps we can get more research on that as to why that was stripped out.

Mr. Peskin said that both of them had significant levels of industry participation from people involved in construction industries and facilities management, both are actually trying to integrate the two documents. They proposed them as alternate standards for compliance to the same end goal. Both organizations are working together and they announced that kick off in Washington about three weeks ago.

6. Mr. Bill Huepenbecker, Saint Paul Arena Company, which manages and operates the Xcel Energy Center and the Saint Paul River Centre in downtown Saint Paul. They are one of the largest generators of visitor traffic to Saint Paul. One of their challenges in the complex is making sure that their buildings are always relevant, that they look in good condition and they are attractive. And part of that is their exterior signage. Given the proposed illumination level, a lot of the current signage would become non-conforming. Right now they do not have any plans to change the signage on Xcel, but they will on the River Centre. Over the next few years they are going to need to replace the River Centre's neon sign. In the future with those being non conforming uses, if this change is made it would limit their ability to do that change.

Mr. Huepenbecker talked about the temporary banners in signage and on the side of the Xcel Energy Center they have big banners up. So they want to be included in that study. And with illumination is there a way to carve out the downtown piece. He doesn't know what a sign would look like under that standard. He would appreciate any consideration of both those factors.

Commissioner Ward said one of your statements was that if this resolution goes through it would limit your ability to stay current with bringing the Xcel or River Centre up to standards in order to advertise to your customers. If you change the sign, how would the proposed new sign differ from what you are doing now?

Mr. Huepenbecker said that on the skyway they are looking to replace those to larger size then what they have now. And depending on the illumination level, if it's a dimly lit sign or it's not bright enough for people to see when they come to the facility, then the question is does it have the impact you want it to have on the facility. He does not know what level the sign would be or what the brightness factor would be.

Commissioner Ward said another statement you made was about using banners in order to advertise other events. Is that something you are saying you don't want to use or is it too complicated or doesn't allow you time to organize these events?

Mr. Huepenbecker said they just want to be involved in the discussions, because maybe there is a better way for them to participate in that process.

Commissioner Schertler said the dynamism of attracting people and keeping ahead, how significant is the signage component in negotiations for events?

Mr. Huepenbecker said they work together with everyone, these events have spin offs too, because a WCHA, Frozen Four and high school hockey tournaments impacts business for the Science Museum and their foot traffic. Signage is an important part of

that and it's the people the traffic and it's the whole feel of that. It's just trying to stay relevant and current and look as new and inviting and attractive to clients as they can.

Commissioner Spaulding asked if Mr. Huepenbecker has ever applied for a special sign permit and the City rejected it. It seems that if we're approving a conventional package that you use time and again in conventional space that maybe we're putting extra burden on you that can't be justified.

Mr. Huepenbecker said that they have not. And with the temporary signs, right now they do not put that in their current bid packages, they apply for that after the fact, so it's not that they have been turned down, it's another thing that they could have put in their bid package to try and attract an event.

7. Mr. Gregg Rendall, President of the Minnesota Sign Association. The Minnesota Sign Association basically agrees with what staff has laid out with the exception of the lighting standard. It would be a very tough standard to meet as far as manufacturing, because it would be outside the norm of the typical signs that you would make. So it would cause manufacturing issues. And anytime anything is outside the norm there is an additional cost involved and that cost would be to the businesses of Saint Paul and ultimately the residents of Saint Paul because everything gets passed down.

Commissioner Nelson said that we heard here earlier about automatic measuring devices for signs and maybe you can clarify, is that only LED signs that can have automatic adjustments based on ambient light or are there other types of signs that could do that.

Mr. Rendall said with current technology in most message centers there is an automatic sensor that would dim to ambient light. In traditional signs, such as a set of channel letters, a cabinet sign which is illuminated by fluorescent lighting, neon or LEDs, there is not. Of all the signs in Saint Paul, he thinks there is not one that is regulated by automatic dimming. With technology going forward that may become a standard, but it is not a standard now.

Commissioner Schertler said is sounded like the gentleman from the National Sign Association had stated that the .3 foot candle was agreeable at 100 foot distance, but it was the application of that in a commercial area and the distance measurement. Do you have an opinion on the illumination amount and what's the bottom of the industry's position or user's position, is it 0.3 foot candles at 100 feet from residential, or was that even discussed?

Mr. Rendall does not have an answer, but in a broader sense he thinks the point that Mr. Peskin was trying to drive is that you can go to different neighborhoods or different streets and if your looking at the total light at a given distance of 100 feet or 50 feet depending on what else is going on that measurement is going to be different even if the sign has the same amount of illumination, dependent on the other lighting in the area. To him it would be one of those regulation nightmares and he does not see how you could ever regulate this.

Commissioner Schertler asked is there a bottom limit that is acceptable to the consumer and producer of the sign. Is the industry comfortable with another number and how it's measured?

Mr. Ken Peskin, representing the International Sign Association, clarified that his association has not studied general electric signs. There has been some study from the Illuminating Engineering Society, but the International Sign Associations standard was dealing with electric signs and they have never studied it specifically dealing with internally illuminated or exposed neon or other forms of illuminated signs.

Commissioner Schertler said in residential, the 100 foot 0.3 electronic sign in E2 or whatever the formula, he is assuming that is a protected zone or a sensitive zone in the community that wants a reduced foot candle.

Mr. Peskin said that their recommendation was 0.3 foot candles in lighting zone E2 and .8 foot candles in lighting zones E3 & 4 and they stand by that standard for electronic signs.

8. Paul Richards, business agent with Painters and Allied Trade District Council 82. He stands shoulder to shoulder with the Minnesota Sign Association and the International Sign Association in opposing any changes to the sign regulations. Something to think about is that currently they have around 40% of their members laid off and a lot of times when we make changes to regulations they have an adverse affect on the industry.
9. Mr. Matt Anfang, President of the Building Owners & Managers Association (BOMA), distributed a letter with their concerns. Mr. Anfang said that BOMA is most concerned with item number two regarding signage illumination and they do oppose what is being presented by City staff. Looking at downtown buildings that have signs on the outside, Wells Fargo, Ecolab, Bremer Bank, incidentally the Bremer Bank sign was removed and replaced last year and no complaints as of yet about the new sign and this proposed ordinance is driven by a sign that has now been replaced. We have approximately a 20% vacancy rate in downtown Saint Paul and some of these buildings that have signage on top of their roofs are able to offer those to anchor tenants at a premium. Those premiums reflect increased lease rates, and increased property value which translates into higher property tax revenue. Mr. Anfang said that there are other things in the letter, but wants to point out another thing regarding lighting. BOMA works with a community group that is concerned about the migratory patterns of birds at certain times of the year, and BOMA sponsors and endorses a program where they encourage downtown building owners to dim or extinguish their lights between midnight and dawn between March 15 to May 31 and August 15 to October 31 to help the birds find there way without being distracted by the signs.
10. Mr. Michael Belaen, representing Minnesota Chamber of Commerce. They are concerned that significant reduction in permitted illumination of exterior signs from 3 foot candles to 0.3 foot candles may result in signs that are virtually dark. They also believe this may have the affect of preventing businesses in Saint Paul from considering using signs to showcase their businesses and it may create a public safety issue, as the illuminated signs have the effect of providing necessary light on dark streets. Another concern is that if this standard applies to all existing signs in Saint Paul it will place unnecessary cost on

businesses during this difficult economic time. The businesses will be faced with a choice of rebuilding the sign or removing it. And for these reasons the Minnesota Chamber does support and encourages retaining the current restriction of 3 foot candles.

Commissioner Spaulding questioned if Mr. Belaen had a sense if there is support for a separate district for the downtown signage as opposed to the rest of the City, recognizing some uniqueness there.

Mr. Belaen said that at this time he does not have the information to answer that question, however from the members that he has talked to regarding this proposal, they were concerned with what this would do going forward. But he would be happy to entertain some of those discussions.

MOTION: Commissioner Wencil moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, April 26, 2010, and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

V. Zoning Committee

SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

One item to come before the Site Plan Review Committee on April 27, 2010 - Como Park Senior High School Parking Lot at 740 Rose Avenue West. A lot, loading dock, service drive replacement, stormwater collection, landscaping and new sidewalks are planned.

OLD BUSINESS

#10-121-250 Shamrock's – Variances for new parking lot: 1) 300 feet maximum from building served permitted, 450 feet proposed; and 2) setback from Osceola right-of-way (7ft. required, 4 ft. proposed). 670 Juno Avenue, SE corner at Juno and Osceola. (Luis Pereira, 651/266-6591)

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the variances subject to additional conditions. The motion carried unanimously on a voice vote.

#10-116-425 Clear Wireless LLC (Eastview Playground) – Conditional Use Permit for a wireless communications antenna on a 100 ft monopole. 1675 5th Street East, area bounded by Kennard, 5th, Flaundrau, Margaret Street alley. (Sarah Zorn, 651/266-6570)

This case has been laid over indefinitely.

#10-123-489 University of St. Thomas – Modification of conditional use permit requirement that off-street parking spaces for college athletic facilities be within 600 feet of the building to be served. 2115 Summit Avenue, area bounded by Selby, Cleveland, Grand, Cretin, Mississippi River Blvd., Goodrich, and Summit. (Josh Williams, 651/266-6659)

Commissioner Kramer announced that at their places is a resolution which is not the one that was enclosed in their packets. This resolution is not really different from what the Zoning Committee

recommended it is just a further elaboration on the reasons for the decision that staff and the city attorney added after the packet was mailed out. And this is the resolution that the Zoning Committee is presenting for consideration today and he is moving that.

Commissioner Merrigan asked if the Conditional Use Permit (CUP) is modified through the entire campus. Would this modification apply to any future buildings on this campus?

Commissioner Kramer said that the resolution applies to the requirement for off-street parking for college athletic facilities within 600 feet, so that would be the limits of the modification.

Josh Williams, PED staff, added that the existing CUP remains in effect. This application is to modify that one specific condition so anything beyond what is allowed in the CUP in the future would be subject to another hearing process.

Commissioner Ward asked if the Historic Preservation conditions refer to lighting or exterior structures to be erected.

Mr. Williams said the (HPC) Historic Preservation Commission's approval is for the building design as well as for the intersection of Cretin and Summit which is within the West Summit Historic District. Regarding the building, they still need to give final approval of materials. The HPC needs to see a mock-up of the proposed materials before final permission is granted.

Commissioner Spaulding asked about the West Summit Neighborhood Advisory Council. What were the general concerns and support from that group?

Mr. Williams said that he has not involved in past issues with St. Thomas, but he feels the West Summit Neighborhood Advisory Council (WSNAC) has really helped with neighborhood discussion on these issues. It provides a forum for concerns to get out a lot sooner and there is a way to discuss those. WSNAC was involved in the environmental review process for the student center and related athletic facility. Their primary concerns had to do with traffic, pedestrian movement across the intersection, and parking. Regarding WSNAC, he cannot speak for them, but he can say that they did not take a formal position on the application. They did not oppose it nor did they endorse it.

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the modification of conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

#10-122-449 St. Thomas Student Center – Site plan review for new student center. 2115 Summit Avenue. (Tom Beach, 651/266-9086)

Commissioner Nelson said that there is an in & out in the southern driveway and both are out movements from the northern driveway. He was curious about the concept of having the southern driveway just be access in and the northern driveway be access out. Currently there is only one access to Cretin and it is quite congested. Commissioner Nelson counted nine conflicts from those two driveways intersecting traffic on Cretin. Eliminating that out movement would eliminate three of those potential conflicts with traffic on Cretin.

Tom Beach, DSI staff, said that one reason staff from DSI and Public Works decided to leave the

south driveway a two way and not an in only, because people using the drop off and coming south would then have to drive through the north part of the site to get out and there would be more people driving through there. It was thought better to keep potential truck traffic to the north and give people more options to get out of the lot.

Commissioner Nelson questioned the pedestrian crossing at Summit Avenue, the plan that has been devised has pavement up to the curb line on Cretin on both sides and it looks like a 100 foot wide crosswalk right down the middle of Summit Avenue. It seems like a crosswalk to go from the East to the West or West to East is the whole width of the median on Summit Avenue, rather than trying to get pedestrians to cross at the corners.

Mr. Beach recalled asking that same question during the course of the review and he believes the answer was that they wanted to have more paved area there. Between classes there are a lot of students waiting on the median for the traffic signal to change, and this would provide more room for people to wait.

Josh Williams added that there is concern about making sure that the crosswalks and the ramps line up correctly. There was some concern as well from HPC staff about the look and a consideration of adding some vegetation, but then staff decided against it. The feeling was it would end up getting trampled on and not really serve its purpose.

Commissioner Kramer asked if the site plan approval gives enough leeway to add green space or are we locked in?

Mr. Beach said that we might want to add another condition something like: Staff will continue to look into the configuration of the Summit Avenue median in conjunction with HPC and Parks to arrive at a solution that accommodates green space and pedestrian safety. Mr. Beach can not approve it without the HPC and Parks on board.

Commissioner Merrigan made the comment that Summit Avenue is one of the biggest bicycle corridors in Saint Paul and there has been absolutely no accommodation made in this traffic plan on how bicycles will be impacted by any of this.

Mr. Williams said that the diagram shown does not reflect the bicycle lanes that go on Summit, north, south, east or west. Some of the other concepts for this intersection involved bump outs at the corners to reduce the amount of time pedestrians would spend crossing. However those were taken out in order to preserve the bike lanes. The proposed design should not theoretically impede bicycle movement any more than the current arrangement, if people are traveling in the bicycle lanes.

MOTION TO AMEND: *Commissioner Kramer moved to amend the resolution to include an additional condition that staff will continue to look into the configuration of the Summit Avenue median in conjunction with HPC and Parks to arrive at a solution that accommodates green space and pedestrian safety. Commissioner Nelson seconded the motion.. The motion carried unanimously on a voice vote*

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the site plan subject to additional conditions. The motion carried unanimously on a voice vote.*

NEW BUSINESS

#10-127-535 T-Mobile (Edgecumbe Rec) – Conditional Use Permit for a wireless communications antenna on a 75 ft monopole. 320 Griggs Street South, NE corner at Jefferson. (Sarah Zorn, 651/266-6570)

Commissioner Commers asked if the City is aware of what poles are currently in place, either in this area or citywide, both those in residential districts that are less than 60 feet and those that are over 60 feet and have existing conditional use permits.

Sarah Zorn, PED staff, is currently pulling this information from the permit system, so as of yet she does not have this information.

Commissioner Commers questioned if this case was approved would this be a new precedent or have there been conditional uses approved for monopoles over 60 feet in a residential district.

Ms. Zorn said this would not be a precedent; there are two others that were done a couple of years ago in residential districts.

Commissioner Commers asked from how large of an area is a pole like this visible.

Ms. Zorn said it is going to be based on topography, surrounding uses, and types of buildings. She has no concept of how far away you would be able to see it at this time. Commissioner Kramer added that the Parkland diversion process that takes place will also entail at least one and perhaps two additional public hearings for the approval to be finalized, and not just at the Planning Commission but at the Parks and Recreation Commission and City Council. The Planning Commission's approval is conditional on that process preceding.

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried 10-1 (Commers) on a voice vote.

#10-127-224 Kuwaki Wang – Re-establishment of nonconforming use as a 4-unit residential building. 935 Beech Street, NW corner at Forest. Luis Pereira, 651/266-6591)

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the re-establishment of nonconforming use subject to additional conditions. The motion carried unanimously on a voice vote.

#10-125-508 Enterprise – Conditional Use Permit for outdoor auto rental. 597 – 605 Como Avenue, SE corner at Front Street. (Emily Goodman, 651/266-6551)

This case has been laid over to the May 13, 2010 Zoning Committee meeting.

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, April 29, 2010.

VI. Comprehensive Planning Committee

Zoning Code Map Format Amendment – Approve a resolution initiating a zoning study to prepare an update to the official map of the Zoning Code from a paper to a Geographic Information Systems (GIS) format. (*Anton Jerve, 651/266-6567 and Patricia James, 651/266-6639*)

Commissioner Commers said at the last two committee meetings they have been working through the transition from a paper format zoning map of record to a GIS format and this is something staff's been working on for several years. Here today is a draft resolution to approve the initiation of a zoning study to complete the process.

MOTION: Commissioner Wencl moved the Comprehensive Planning Committee's recommendation to approve the resolution. Commissioner Merrigan seconded the motion. The motion carried unanimously on a voice vote.

Commissioner Commers announced the items on the agenda for the next Comprehensive Planning Committee meeting on Tuesday, May 4, 2010.

VII. Neighborhood and Current Planning Committee

Non-Conforming Use Zoning Amendments – Approve resolution initiating a zoning study to update requirements with state statutes. (*Anton Jerve, 651/266-6567 and Patricia James, 651/266-6639*)

Commissioner Wencl said that the Neighborhood Planning Committee is asking today to initiate a zoning study to update the requirements with the state statute requirements.

MOTION: Commissioner Wencl moved the Neighborhood Planning Committee's recommendation to approve the resolution. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

Commissioner Wencl announced the items on the agenda for the next Neighborhood Planning Committee meeting on Wednesday, April 28, 2010.

VIII. Steering Committee

Planning Commission By-Laws - Revisions needed for new Transportation Committee.

Donna Drummond, Planning Director, said the Steering Committee is proposing some amendments to the Planning Commission by-laws. There are some minor changes proposed to clean up the by-laws to reflect current practices, as the by-laws were last amended in 2001. One major change is the change to Section 3 on Standing Committees that would allow the Planning Commission to have non Commission members as part of a standing committee. The City Council had directed the Planning Commission to establish a Transportation Committee as a standing committee of the commission and to include non commission members, so this by-law recognizes that and would make that change in the by-laws.

Commission By-Laws. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

IX. Communications Committee

No report.

X. Task Force Reports

None.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 10:58 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Marilyn Porter
Secretary of the Planning Commission



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101

Telephone: 651-266-9090
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE
TUESDAY May 11, 2010
2nd Floor Conference Room
375 Jackson Street, Suite 218

Time Project Name and Location

9:30 West Side Flats
84 Wabasha St S.
168 Unit apartment bldg with retail and covered parking

To Applicants:

You should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff.

The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

Parking

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6th Street at Jackson.

To see a map of additional nearby parking ramps go to
<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: April 30, 2010
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of April 29, 2010 Zoning Committee Hearing

NEW BUSINESS

- | | | <u>Staff</u> | <u>Recommendation</u>
<u>Committee</u> |
|----|---|--------------------------|--|
| 1. | T-Mobile (1390 Larpenteur) (10-221-660)

Conditional Use Permit for a wireless communications antenna on a 75 ft monopole

Address: 1390 Larpenteur Ave E
between Clarence and Birmingham

District Comment: District 2 recommended approval with conditions

Support: 1 person spoke, 0 letters

Opposition: 0 people spoke, 0 letters

Hearing: Hearing is closed

Motion: Approval with conditions | Approval with conditions | Approval with conditions
(5 - 1)
(Commers) |
| 2. | St. Paul Port Authority (10-221-100)

Rezoning from B2 Community Business to I1 Industrial

Address: 955 Seminary Ave
NE corner at Chatsworth

District Comment: District 7 made no recommendation

Support: 0 people spoke, 0 letters

Opposition: 1 person spoke, 0 letters

Hearing: Hearing is closed

Motion: Approval | Approval | Approval
(7 - 0) |

	<u>Recommendation</u>	
	<u>Staff</u>	<u>Committee</u>

3.

Walgreens Ford Parkway #3 (10-222-535)

Approval with
conditions

Approval with
conditions
(7 - 0)

**Site Plan Review for a new Walgreens and two smaller
commercial buildings.**

Address: 2101 Ford Pkwy

District Comment: District 15 recommended approval with
conditions

Support: 2 people spoke, 0 letters

Opposition: 0 people spoke, 0 letters

Hearing: Hearing is closed

Motion: Approval with conditions

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, April 29, 2010 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF APRIL 15, 2010, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 10-221-660 T-Mobile (1390 Larpenteur)**
Conditional Use Permit for a wireless communications antenna on a 75 ft monopole
1390 Larpenteur Ave E, between Clarence and Birmingham
R3
Sarah Zorn 651-266-6570

- 2 10-221-100 St. Paul Port Authority**
Rezoning from B2 Community Business to I1 Industrial
955 Seminary Ave, NE corner at Chatsworth
B2
Luis Pereira 651-266-6591

- 3 10-222-535 Walgreens Ford Parkway #3**
Site Plan Review for a new Walgreens and two smaller commercial buildings.
2101 Ford Parkway
B2
Tom Beach 651-266-9086

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Allan Torstenson at 266-6579 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6565
Facsimile: 651-228-3261

DATE: April 29, 2010
TO: Planning Commission
FROM: Neighborhood Planning Committee
SUBJECT: *District del Sol Zoning Study*

The Planning Commission held a public hearing on the *District del Sol Zoning Study* on April 23, 2010. One person (Karen Reid, with the Neighborhood Development Alliance) spoke in favor of the staff recommendations. Staff received one letter of joint support from the three community organizations that requested the study (West Side Citizens Organization, Riverview Economic Development Association and Neighborhood Development Alliance), with resolutions attached from each of the organizations in support of the proposed rezonings.

COMMITTEE RECOMMENDATION

The Neighborhood Planning Committee recommends that the Planning Commission make the following findings and recommendation to the City Council:

1. The rezoning recommendations proposed in the *District del Sol Zoning Study* are consistent with the Comprehensive Plan and other community plans for the three District del Sol mixed-use corridors.
2. The City Council should approve the rezonings as recommended.

A resolution for adoption at the May 7, 2010 Commission meeting is attached.

Attachment

city of saint paul
planning commission resolution
file number _____
date _____

DISTRICT DEL SOL ZONING STUDY

WHEREAS, in July 2008, the West Side Citizens Organization (WSCO), Riverview Economic Development Association (REDA) and Neighborhood Development Alliance (NeDA) requested that the Planning Commission initiate a zoning study for the three commercial corridors at the heart of the West Side – Wabasha, Cesar Chavez and Robert; and

WHEREAS, this request came after almost two years of extensive community participation to gain consensus that such a study should be done, and educate potentially-affected property and business owners about the planning precedents for rezoning and the potential impacts of rezonings on individual parcels and businesses; and

WHEREAS, the Planning Commission initiated the zoning study in August 2008, with the express purpose of making zoning consistent with the Comprehensive Plan (including area plans), the *Saint Paul on the Mississippi Development Framework* and the *Harriet Island/District del Sol Final Concept Plan*; and;

WHEREAS, draft recommendations were prepared by staff and vetted in several community meetings prior to official submittal to the Planning Commission; and

WHEREAS, a public meeting, sponsored by WSCO, REDA and NeDA, was held in January 2010 to present the draft recommendations and get feedback; and

WHEREAS, the final recommendations were prepared and submitted to the Planning Commission for official review and comment; and

WHEREAS, the Planning Commission released the study recommendations on March 12, 2010; and

WHEREAS, the Planning Commission held a public hearing on April 23, 2010, of which all interested persons and affected property owners were notified and invited to speak; and

WHEREAS, the written record was kept open until 4:30 p.m., April 26, 2010; and

WHEREAS, all public input was in support of adopting the rezonings as recommended.

moved by _____
seconded by _____
in favor _____
against _____

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends City Council approval of the rezoning recommendations contained in the *District del Sol Zoning Study Report and Recommendations*, dated March 3, 2010, with the following key conclusions/recommendations (maps attached):

1. TN2 is the appropriate district to bring zoning into compliance with neighborhood plans and the Saint Paul Comprehensive Plan for the three District del Sol corridors – Wabasha, Robert and Cesar Chavez streets.
2. B3 zoning of three parcels on the west side of Robert Street at the gateway to District del Sol is more compatible with adjacent land uses and neighborhood plans, and does not create any non-conforming land uses.
3. Medium-density residential land uses at the edge of the district (State Street Townhomes) are appropriately zoned RM2, and no change in zoning is recommended.
4. Jerry's Service Center should be rezoned to TN2, since it is at the heart of the commercial district, will be surrounded by TN2 zoning and sits on a parcel with a lot area (7,000) that is less than half of the minimum required for an auto repair station (15,000 square feet). Jerry's is a non-conforming use under its current zoning (B2), and would remain a non-conforming use under TN2.
5. Rodriguez Auto Service should remain B3, since it is located on the edge of District del Sol and has a lot area (almost 10,000 square feet) that is closer to the minimum required for an auto repair station (5,000 square feet).

BE IT FURTHER RESOLVED, that the Planning Commission thanks WSCO, REDA and NeDA for their invaluable assistance in educating the community about the rationale for and impacts of the proposed rezonings, addressing property owner and business concerns, coordinating community input into the study, and making neighborhood plans a reality through zoning.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6565
Facsimile: 651-228-3261

DATE: April 29, 2010
TO: Planning Commission
FROM: Neighborhood Planning Committee
SUBJECT: Proposed Amendments to *Fitzgerald Park Precinct Plan Area Plan Summary*

BACKGROUND

In August 2006, at the recommendation of the Saint Paul Planning Commission, the City Council adopted the *Fitzgerald Park Precinct Plan Area Plan Summary* as part of the Comprehensive Plan. The *Fitzgerald Park Precinct Plan Area Plan Summary* addresses that portion of downtown lying between 7th Street, I-94, Wabasha and Jackson.

Since that time, the alignment of Central Corridor LRT and location of LRT stations have been finalized. An LRT station will be located at 10th/Cedar in the center of the Fitzgerald Park neighborhood. Rather than prepare a separate station area plan for the 10th/Cedar station, City and Saint Paul on the Mississippi Design Center staff have been working with the CapitolRiver Council and other stakeholders to prepare appropriate amendments to the *Fitzgerald Park Precinct Plan* and *Area Plan Summary* that reflect the issues and opportunities presented by LRT serving the neighborhood.

PROPOSED AMENDMENTS TO ADDRESS LRT AND THE 10TH/CEDAR STATION

The proposed precinct plan text and graphics amendments are attached for your review. The CapitolRiver Council recommends their adoption. Three key new ideas are represented in the proposed amendments:

1. The strengthening of 10th Street as both a "park street" and key pedestrian/bicycle connection to the LRT station.
2. The concept of an "urban room" at the LRT station – a high-quality public space capable of integrating the needs of a wide range of users (pedestrians, cyclists, transit and cars) and acting fully as a gateway into both the precinct and downtown.
3. The concept of a "Mobility Enhancement Area," where streetscape enhancements, wayfinding and increased landscaping will facilitate the flow of pedestrians and cyclists to and from LRT, improve the appearance of this important gateway to downtown, and elevate the experience of using transit.

There are three attachments to this memo:

1. The original *Fitzgerald Park Precinct Plan* (attached for Commissioners only)
2. The *Fitzgerald Park Precinct Plan Area Plan Summary*
3. The proposed changes to the *Fitzgerald Park Precinct Plan*, which would then be incorporated into the *Area Plan Summary*

Planning Commission
April 29, 2010
Page Two

COMMITTEE RECOMMENDATION

The Neighborhood Planning Committee recommends that the Planning Commission release the proposed amendments to the *Fitzgerald Park Precinct Plan Area Plan Summary* for public review and set a public hearing for June 18, 2010.

Attachments

Area Plan Summary

Fitzgerald Park Precinct Plan

Addendum to the Comprehensive Plan for Saint Paul

Recommended by the Planning Commission on July 28, 2006.

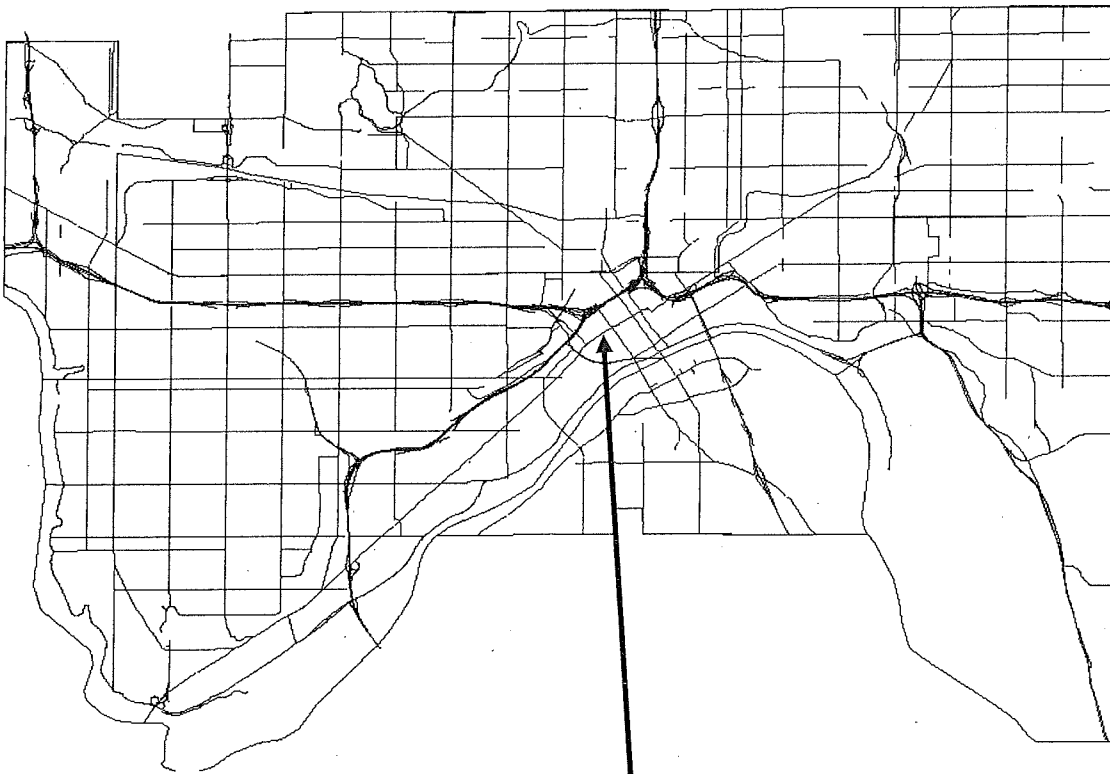
Adopted by the City Council on August 16, 2006.

This summary appends to the Comprehensive Plan the community's vision of a diverse, mixed-use sustainable, human-scaled neighborhood that is pedestrian-friendly, transit-oriented, safe, beautiful and well-maintained. Historic buildings are maintained, and new buildings are designed to be compatible with them. The needs of pedestrians, bikes, cars, transit and those of limited physical mobility are balanced and met. A central green provides residents and visitors with a place to gather. The neighborhood has a strong sense of place and identity.

Copies of the full-length plan are available at the Saint Paul Department of Planning and Economic Development, Saint Paul on the Mississippi Design Center and Capitol River Council (District 17).

Location

The Fitzgerald Park neighborhood is located in downtown Saint Paul. The study area for the *Fitzgerald Park Precinct Plan* is bounded by I-94 on the north, Seventh Street on the south, Main Street on the west and Jackson Street on the east.



Fitzgerald Park Precinct Plan Study Area

Vision

The Fitzgerald Park neighborhood is a diverse, mixed-use sustainable, human-scaled downtown community that is pedestrian-friendly, transit-oriented, safe, beautiful and well-maintained. Historic buildings are maintained, and new buildings are designed to be compatible with them. The needs of pedestrians, bikes, cars, transit and those of limited physical mobility are balanced and met. A central green provides residents and visitors with a place to gather. The neighborhood has a strong sense of place and identity.

Plan Visions

The plan is informed by the *Saint Paul on the Mississippi Development Framework* and the *Downtown Development Strategy* chapter of the Comprehensive Plan. Each chapter – land use, design and appearance, movement, public realm/public safety, natural environment and neighborhood identity/communication - contains a vision statement and development strategies to accomplish the vision.

Land Use Vision: Fitzgerald Park is a diverse, mixed-use, human-scaled neighborhood that celebrates culture, education and the arts, while providing for the needs of a growing residential population during all hours of every day and evening. First-floor uses activate the street. New retail and service businesses utilize small storefronts so that streets and sidewalks are pedestrian-friendly.

Design and Appearance

Vision: Fitzgerald Park is a human-scaled neighborhood that is clean, beautiful and well-maintained, where historic buildings are preserved and new buildings are designed to be compatible with them.

Movement Vision: Fitzgerald Park is a neighborhood with a pedestrian-friendly street character and block pattern that also has safe and convenient connections to the skyway system. The needs of pedestrians, bikes, cars, transit and those of limited physical mobility are balanced and met.

Public Realm/Public

Safety Vision: Fitzgerald Park is a neighborhood that has a central green or park where residents and visitors alike can meet and share the common experience of being part of the neighborhood. Streets, sidewalks, plazas and parks are visible, well-maintained, safe and welcoming.

Natural Environment

Vision: Fitzgerald Park is a “green” neighborhood that manages the visual, noise and air quality impacts of its location overlooking a major freeway and connected to the Mississippi River.

Neighborhood Identity/ Communication

Vision: Fitzgerald Park is a neighborhood that has a strong sense of place and identity, with numerous opportunities for communicating, marketing and publicizing neighborhood news. Public places to gather and share information are abundant.

Priorities for City Action

The following actions have been identified by the community as priorities that require leadership or significant participation by City government. Community groups and City departments should implement the projects identified in this summary by applying for appropriate public funding resources in competitive processes (such as the Capital Improvement Budget and Sales Tax Revitalization Program) and working through the regular operating programs of relevant City departments.

Land Use

1. New development on Blocks 2, 3 and 5 should provide a mix of residential, office and retail uses, with the market determining the final mix (Figure 1). (Housing and Redevelopment Authority)
2. In general, parking should be provided underground to allow for maximum densities appropriate in a downtown. (Housing and Redevelopment Authority)
3. A diverse range of housing types and prices should be available in Fitzgerald Park. (Housing and Redevelopment Authority)

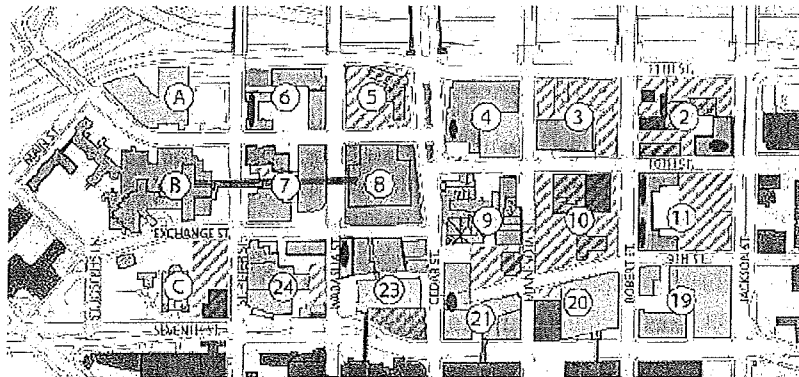


Figure 1

Design and Appearance

4. Buildings of historical and/or architectural value should be retained, protected and preserved. (Heritage Preservation Commission)
5. Existing buildings of historic and/or architectural value should be incorporated into new development. The Public Safety Building should be retained when the block is redeveloped. (Housing and Redevelopment Authority)
6. The maximum height of new buildings on Blocks 2, 3 and 5 should be 150 feet (Figure 1), including HVAC equipment. Taller buildings may be permitted where necessary to further the visions and strategies in this plan, as long as a strong relationship to the street is maintained. (Planning and Economic Development)

Movement

7. The City and Minnesota Public Radio should cooperate in the construction of a pedestrian-only pathway between Central Presbyterian Church and the new MPR building. Should Naomi Family Center ever close at its current location, the pathway should be extended east on a straight line to Minnesota Street (Figure 2). East of MPR, the street should serve both vehicles and pedestrians. (Public Works)
8. Ninth Street should be realigned between Robert and Minnesota streets to provide an edge to the new full-block park and provide a larger redevelopment site north of the former Northern Furniture building. The street should be extended west of Minnesota Street should Naomi Center ever close at its current location, where it would connect to a pedestrian-only pathway between Minnesota Public Radio and Central Presbyterian Church (Figure 2). (Public Works)

9. The skyway system should be open during regular, predictable hours and for more hours into the evening. Safe, convenient and visible access into and out of the system should be provided during all hours it is open. Extensions of the skyway system should be considered – north from the World Trade Center ramp, north from City Walk/MPR, north from the 7th Street ramp and north through the Block 19 ramp (Figure 2). (Public Works)
10. Light rail transit should be implemented to increase transit options, beautify Cedar Street and provide an impetus to redevelopment. (Public Works, Planning and Economic Development)
11. All existing street segments should remain open; no further street closings should be permitted to accommodate new development. (Public Works)
12. The extension of Exchange Street west of 5th/6th streets should be explored. (Public Works)
13. Ninth Street should be improved to allow a safe and convenient connection to the regional trail system. (Public Works)
14. Traffic-calming techniques, as well as streetscape amenities, should be installed on 7th and Jackson streets. (Public Works, Parks and Recreation)
15. The narrowing of the curb-to-curb width of Wabasha Street between Exchange Street and I-94 should be explored. (Public Works)

Public Realm/Public Safety

16. Ornamental paving, marked crosswalks, pedestrian lighting, wider sidewalks and street trees should be extended north of 7th Street. (Public Works, Parks and Recreation)
17. Ninth, Cedar between MPR and Exchange, Exchange and St. Peter streets should be redesigned as “park streets” to extend the downtown pedestrian loop through the neighborhood. (Public Works, Parks and Recreation)
18. Exchange Street between Cedar and Wabasha streets should be redesigned as a “convertible” street to allow for large community gatherings. (Public Works)
19. For planning purposes only, the preferred future land use on Block 10 is a full-block City park. Until such time as the City is able to take the necessary actions to assemble land and build a park, parcels on the block may be used for any legal use permitted under their current zoning classification, provided that the proposed use meets all applicable conditions and/or standards. Any future use may not be denied exclusively on the basis that the vision for the block is of a public park. (Figure 2). (Parks and Recreation)
20. A comprehensive lighting plan should be prepared for the neighborhood, with an emphasis on avoiding light pollution. (Public Works)
21. The 10th Street gateway should be enhanced to signal it as major entrance to the neighborhood. (Public Works, Parks and Recreation)
22. An adequate level of community policing should be maintained. (Police)

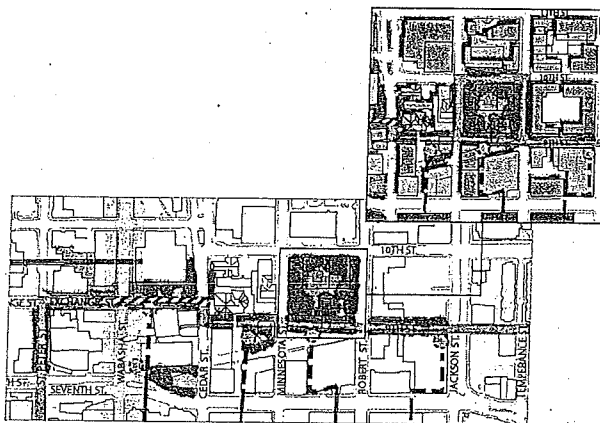


Figure 2.

Natural Environment

23. Trees and landscaping should be planted wherever possible on public property. (Public Works, Parks and Recreation)

Planning Commission Findings

The Saint Paul Planning Commission recommended supplemental language to clarify the legal status of the plan's recommendation for a full-block park on the block bounded by 9th, 10th, Minnesota and Robert streets. This language is found in Priority Strategy #19, shown on page 4 of this plan summary.

Planning Process

The *Fitzgerald Park Precinct Plan* was prepared, at the request of CapitolRiver Council (District 17) and a coalition of neighborhood institutions, by a Planning Commission task force co-chaired by a Planning Commissioner and a Fitzgerald Park resident. The task force met from April 2004 through February 2006, holding three community workshops in April and May 2004. In March 2006, the task force and CapitolRiver Council co-sponsored a community meeting to get broader feedback before sending the plan on to the Planning Commission. In April 2006, CapitolRiver Council forwarded the *Fitzgerald Park Precinct Plan* to the Planning Commission and asked that it be adopted as an amendment to the City's Comprehensive Plan.



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

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Date: April 28, 2010

To: Planning Commission

From: Neighborhood Planning Committee

Subject: Carondelet Village Redevelopment Plan

Background

The Sisters of St. Joseph of Carondelet (CSJ), in association with Presbyterian Homes, are proposing to replace the existing Bethany building on the CSJ campus at Fairview and Randolph with a new facility encompassing independent living apartments as well as assisted living, memory care, and skilled nursing units. The new facility will serve both CSJ Sisters and other members of the community, living both on and off campus. The project is seeking gap financing assistance from the City/HRA in the form of Tax Increment Financing (TIF). In order to provide TIF for the project, the City/HRA must first establish a new TIF district. Under State law, a Redevelopment Plan must be present for the establishment of a TIF.

The purpose of this memorandum is to advise the Committee regarding the consistency of the Carondelet Village Redevelopment Plan with the Comprehensive Plan.

Plan Consistency

The Carondelet Village Redevelopment Plan is consistent with the Saint Paul Comprehensive Plan (adopted 2010) and the Highland Park Neighborhood Plan Summary (adopted 2007), as outlined below.

The Carondelet Village Redevelopment Plan calls for targeted redevelopment on the CSJ campus. CSJ and Presbyterian Homes have proposed to build a new facility on the site of the existing Bethany building, a former convent which now serves as a retirement/nursing home. The plan identifies a number of principles, based on policies and strategies found in the Saint Paul Comprehensive Plan and the Highland Park Neighborhood Plan Summary, to guide any future development projects. These principles include: Targeting redevelopment to housing, assisted living and related facilities; encouraging project design consistent with the existing character of the CSJ (and adjoining St. Catherine

University) campuses; sensitivity to the physical relationship of the campus to the surrounding residential areas; inclusion of housing affordable to a range of incomes; providing for senior housing options within the existing neighborhood; and encouragement of green/sustainable building.

Two of the primary strategies of the Housing Plan chapter of the Comprehensive Plan are to ensure access to affordable housing and to build upon Saint Paul's strengths in the metropolitan housing market. Specific policies include acting to "support the expansion of housing choices for seniors, particularly in neighborhoods that are underserved" (Policy 2.18) and Policy 3.3, which calls for providing "affordable housing in new production projects". The Redevelopment Plan calls for an overall increase in housing units (including care units) in an area that is pedestrian-friendly and close to shopping, amenities, and transit. The Plan also supports a focus on senior-oriented housing and ensuring affordability. These objectives are consistent with the Housing Plan strategies and policies.

The Land Use Plan chapter of the Comprehensive Plan focuses on increasing density in a targeted way that is respectful of neighborhood context and takes advantage of existing transit connections and the proximity of employment opportunities, shopping, and amenities. The Redevelopment Plan supports increased housing densities in a location that is proximal to a mixed use corridor while also encouraging a redevelopment approach which maintains the existing relationship of the CSJ campus to the surrounding lower-density residential neighborhoods. This is consistent with the strategies of the Land Use Plan.

The Highland District Plan summary includes as priorities to "welcome residents from a broad spectrum of age groups and income levels with new housing units that are high quality as well as affordable" and to "enhance environmental consciousness". The Redevelopment Plan, which calls for increasing the availability of affordable senior housing in the area and encourages inclusion of green and sustainable building technologies, is consistent with these priorities.

During deliberations on the consistency of the Redevelopment Plan with the Comprehensive Plan, there was extensive discussion of the lack of a sidewalk on the western side of Fairview Avenue between Randolph Avenue and Highland Parkway. This includes the entire eastern boundary of the CSJ campus and of the Redevelopment Area. It also includes the eastern boundary of the campus of St. Catherine University and abuts a number of single family lots that front on Fairview Avenue.

At the request of committee members, staff have consulted with the City Attorney's Office, which issued an opinion that it would exceed the Planning Commission's legal authority to require a project to require the construction of sidewalk in right-of-way adjacent to properties under different ownership and unrelated to the proposed project. Staff also determined that a proposed project for the Redevelopment Area was submitted for site plan review approximately 8 months ago. At that time, City staff conducting the administrative site plan review determined that sidewalk construction associated with the

project would not result in a complete sidewalk along the entire unimproved segment of Fairview between Randolph and Highland Parkway, and that the project proposers should not be required to build a partially-unconnected sidewalk segment.

Recommendation

The Neighborhood Planning Committee recommends that the Carondelet Village Redevelopment Plan be found to be consistent with Saint Paul Comprehensive Plan, with following comment:

Any future projects in the Redevelopment Area or on nearby properties with frontage on Fairview Avenue between Randolph Avenue and Highland Parkway should provide for construction of public sidewalks, constructed to City standards, as is consistent with the Transportation chapter of the Comprehensive Plan (policy T 4.7).